

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR 115-050
)	
MARKUS ANTHONY ALLEN)	

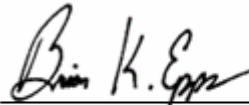
ORDER

Counsel in the above-captioned case have advised the Court that all pretrial motions have been satisfied or otherwise resolved besides Defendant's motion to suppress. (See doc. no. 30.) Therefore, all other motions besides Defendant's motion to suppress are **MOOT**. (Doc. nos. 12-21, 23, 28.)

The motion to suppress alleges law enforcement illegally seized marijuana, a Bersa .380 caliber handgun, and a recorded statement given to Inv. Jason Kennedy during Defendant's detention. In contravention of Local Criminal Rule 12.1, there are no citations to record evidence or an affidavit from Defendant offered in support of this two-page motion, and there is no supporting memorandum of law citing supporting authorities. (See doc. no. 22.) The Court will provide Defendant until September 15, 2015 to file a particularized motion that, in compliance with Local Criminal Rule 12.1, supports every factual assertion with a cite to the existing record, an affidavit, or other evidence and includes a supporting memorandum of law. The burden is upon Defendant to allege facts that would, if proven true, entitle him to relief. United States v. Lewis, 40 F.3d 1325, 1332 (1st Cir. 1994). Failure to cure the defects with the pending motion will result in the Court treating that

motion as a nullity. After the filing of Defendant's particularized motion, the government will have until September 29, 2015 to respond, and the Court will hold an evidentiary hearing on October 6, 2015, at 10:00 a.m., in Courtroom One, Federal Justice Center, 600 James Brown Boulevard, Augusta, Georgia.

SO ORDERED this 8th day of September, 2015, at Augusta, Georgia.

A handwritten signature in black ink, appearing to read "Brian K. Epps", is written over a horizontal line.

BRIAN K. EPPS
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA